

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Della Mura,

Plaintiff,

ORDER

-against-

19 Civ. 8699 (AEK)

Thomas, et al.,

Defendants.

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THE HONORABLE ANDREW E. KRAUSE, U.S.M.J.

In light of the matters discussed at the Wednesday, March 3, 2021 teleconference, the parties are instructed to do the following:

(1) With respect to legal fees due to Defendant Porcari's counsel, Mr. Biaggi, the Comptroller's Office of the City of Mount Vernon ("Comptroller's Office") is directed to cancel the previous check issued to Mr. Biaggi, reissue a new check with all necessary signatures by Thursday, March 4, 2021, and send that check the same day by Federal Express to the address provided by Mr. Biaggi for delivery on Friday, March 5, 2021. The Comptroller's Office must also provide Mr. Biaggi and the Office of the Corporation Counsel of the City of Mount Vernon ("Corporation Counsel") with the Federal Express tracking information for the check. The Comptroller's Office's payment of Mr. Biaggi's invoice—including the receipt of the necessary signature from the Mayor of the City of Mount Vernon—must not be made contingent in any way upon payment of any other outstanding invoices.

(2) The Corporation Counsel must ensure that any attorney invoices for work performed in this matter that were submitted to the Corporation Counsel as of March 2, 2021 are transmitted to the Comptroller's Office on or before Friday, March 5, 2021, to the extent any such invoices have not been transmitted to the Comptroller's Office already. If the

Comptroller's Office reports that there are insufficient funds in specified accounts to pay the outstanding invoices, the Corporation Counsel and the Comptroller's Office are directed to confer and identify appropriate sources of funding to pay these invoices.

(3) On or before Wednesday, March 10, 2021, all counsel currently awaiting payment of outstanding invoices (Mr. Biaggi, Oxman Law Group, P.L.L.C., and Littler Mendelson, P.C.) are directed to provide written updates to the Court regarding the status of their respective invoices.

(4) On or before Wednesday, March 17, 2021, Defendant City of Mount Vernon is directed to provide a report from the Comptroller's Office regarding the status of payment of the outstanding invoices.

(5) Counsel for Defendant City of Mount Vernon requested permission to implead the Comptroller's Office and Comptroller Deborah Reynolds in her individual capacity should any issues regarding these attorney invoices remain outstanding as of March 17, 2021. As noted during the conference, the Court has taken this request under advisement and will address it, if necessary, in a subsequent order.

(6) Defendant Porcari and Defendant Thomas's reply memoranda of law in further support of their motions to dismiss are due on or before Friday, March 19, 2021.

Counsel of record for Defendant City of Mount Vernon is directed to provide a copy of this order to the Corporation Counsel and the Comptroller's Office.

Dated: March 3, 2021
White Plains, New York

SO ORDERED.



ANDREW E. KRAUSE
United States Magistrate Judge